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5 **UNITED STATES DISTRICT COURT**  
6 **EASTERN DISTRICT OF WASHINGTON**

7 GARY SCOTT SAMANIEGO,  
8 Plaintiff,  
9 vs.  
10 NANCY A. BERRYHILL,  
11 Acting Commissioner of Social Security,  
12 Defendant.

No. 2:15-CV-00272-FVS

ORDER ADOPTING REPORT AND  
RECOMMENDATION TO DENY  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT AND  
GRANT DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT

13 **BEFORE THE COURT** is the Report and Recommendation issued by  
14 Magistrate Judge Mary K. Dimke on February 9, 2017, ECF No. 25,  
15 recommending Plaintiff's Motion for Summary Judgment, ECF No. 19, be denied  
16 and Defendant's Motion for Summary Judgment, ECF No. 22, be granted. No  
17 objection was filed. After review, the Court hereby adopts the Report and  
18 Recommendation in its entirety. Accordingly, **IT IS ORDERED:**  
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20 1. The Report and Recommendation, **ECF No. 25**, is **ADOPTED** in its  
- - entirety.  
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ORDER ADOPTING REPORT AND RECOMMENDATION TO DENY PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT AND GRANT DEFENDANT'S MOTION FOR SUMMARY JUDGMENT ~ 1

1 2. Plaintiff's Motion for Summary Judgment, **ECF No. 19**, is **DENIED**.

2 3. Defendant's Motion for Summary Judgment, **ECF No. 22**, is

3 **GRANTED**.

4 The District Court Executive is directed to file this Order and forward copies  
5 to the parties. Judgment shall be entered for Defendant and the file shall be

6 **CLOSED**.

7 DATED March 1, 2017.

8 s/Fred Van Sickle

9 Fred Van Sickle

10 Senior United States District Judge